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ABSTRACT

A bill to provide for the creation of the National Fire Academy, and for other purposes is presented. The Act to be cited as the "National Fire Education and Training Act of 1972" will provide for and encourage training, education, and research and development in order to: (1) provide a working knowledge and an understanding of the current problems and difficulties, both administrative and operative, with respect to the fire services; (2) create an active interest among eligible individuals in the career of firefighting, and in related areas; (3) provide a program of continuing education for individuals seeking to further their skills and abilities in the areas of firefighting and the administration of fire protection organizations; and (4) explore with fire departments, and related agencies ways in which the National Bureau of Standards and its facilities, in general, and the National Fire Academy, in particular, can stimulate discussion, conferences, seminars, specialized courses, and research to best serve the needs of this country to provide effective fire prevention, fire protection, and fire suppression. Further discussion of the "academy" outlines the establishment, administration, nonprofit and nonpolitical nature, functions, and financing of the National Fire Academy. (LS)

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92D CONGRESS
2D SESSION

S. 3479

IN THE SENATE OF THE UNITED STATES

APRIL 11, 1972

Mr. MATHIAS introduced the following bill; which was read twice and referred to the Committee on Commerce

A BILL

To provide for the creation of the National Fire Academy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Fire Education and Training Act of 1972".

PURPOSE

SEC. 2. It is the purpose of this Act to provide for the creation of a National Fire Academy in order to provide for and encourage training, education, and research and development in order to—

(1) provide a working knowledge and an under-

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standing of the current problems and difficulties, both administrative and operational, with respect to the fire services;

(2) create an active interest among eligible individuals in the career of firefighting, and in related areas, including the administration of fire protection organizations;

(3) provide a program of continuing education for individuals seeking to further their skills and abilities in the areas of firefighting and the administration of fire protection organizations; and

(4) explore with fire departments, related agencies, and professional firefighting organizations ways in which the National Bureau of Standards and its facilities, in general, and the National Fire Academy, in particular, can stimulate discussion, conferences, seminars, specialized courses, and research to best serve the needs of this country to provide effective fire prevention, fire protection, and fire suppression.

ESTABLISHMENT OF ACADEMY

SEC. 3. There is authorized to be established, for the purposes described in section 2, an appropriate nonprofit, nongovernmental instrument to be known as the National Academy of Fire Prevention and Control (hereinafter referred to as the "academy"), which shall not be an agency or estab-

lishment of the United States Government. The academy shall be subject to the provisions of this Act and, to the extent consistent with this Act, to a charter of the Congress if such a charter is requested and issued or to the District of Columbia Nonprofit Corporation Act if that is deemed preferable.

ADMINISTRATION OF THE ACADEMY

SEC. 4. (a) The academy shall have a board of directors (hereinafter referred to as the "board") consisting of fifteen members, appointed initially by the President of the United States, by and with the advice and consent of the Senate. The President shall designate as chairman one of the fifteen members of the board. The board shall be reasonably representative of the various regions of the country, of the various segments of the community including private industry and labor, of all levels of government, of consumer interests, and of the various types of experience which are appropriate to the functions and responsibilities of the academy.

(b) The members of the initial board shall serve as incorporators and shall take whatever actions are necessary to establish the academy as provided for under section 3 (a).

(c) The term of office of each member of the initial and succeeding boards shall be three years; except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was ap-

pointed shall be appointed for the remainder of such term; and (2) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, one-third at the end of three years, one-third at the end of four years, and one-third at the end of five years. No member shall be eligible to serve in excess of three consecutive terms of three years each. Notwithstanding the preceding provisions of this subsection, a member whose term has expired may serve until his successor has qualified.

(d) Any vacancy in the initial and succeeding boards shall not affect its power, but shall be filled in the manner provided for by the organizational rules and procedures of the academy.

(e) (1) The members of the initial or succeeding boards shall not, by reason of such membership, be deemed to be employees of the United States Government. Except as provided in paragraph (2), members shall, while attending meetings of the board or while engaged in duties related to such meetings or in other activities of the board pursuant to this Act, be entitled to receive compensation at the rate of $100 per day including traveltime.

(2) Members of the board who are full-time officers or employees of the United States shall receive no additional pay on account of their service on the board.

(3) While away from their homes or regular places of business in the performance of services for the board, members of the board shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(f) Eight members of the board shall constitute a quorum.

(g) The board shall meet at the call of the chairman or a majority of its members.

(h) The academy shall have a president and such other executive officers and employees as may be appointed by the board at rates of compensation fixed by the board. No such executive officer or employee may receive any salary or other compensation from any source other than the academy during the period of his employment by the academy.

NONPROFIT AND NONPOLITICAL NATURE OF THE ACADEMY

SEC. 5. (a) The academy shall have no power to issue any share of stock, or to declare or pay any dividends.

(b) No part of the income or assets of the academy shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(c) The academy shall not contribute to or otherwise support any political party or candidate for elective public office.

FUNCTIONS OF THE ACADEMY

SEC. 6. (a) The academy shall exercise its functions and responsibilities in eight general areas relating to fire education and training, as follows:

(1) recommended actions which can be taken by Federal, State, and local government, and by private individuals and organizations to improve and strengthen fire protection, fire prevention, and fire suppression;

(2) promote and encourage eligible individuals to pursue careers as administrators of fire service organizations at all levels;

(3) develop a curriculum and carry out programs of instructional assistance and special workshops, seminars, conferences, and other such instructional devices that are necessary for the purpose of introduction and dissemination of information gained from investigation, research, and development concerning the areas of fire protection, fire prevention, and fire suppression;

(4) develop fire service extension programs to encourage and assist States, counties, and local communities to provide continuous training and operational programs in firefighting techniques and procedures con-

cerning the utilization of firefighting equipment, fire suppression, and other areas related to firefighting in general;

(5) promote and assist universities, community colleges, and other institutions of learning, in planning, developing, strengthening, improving, and carrying out programs and projects concerning fire administration;

(6) assist States, counties, and local communities in the development and training programs for firemen;

(7) gather data and disseminate information to States, counties, and local communities with respect to firefighting equipment, firefighting techniques, fire services administration, and other areas related to firefighting; and to establish and maintain educational programs for the purpose of informing the public of fire hazards and fire safety techniques, and to encourage avoidance of such hazards and use of such techniques; and

(8) establish a voluntary, uniform national testing program for the purpose of enabling States, counties, and local communities to evaluate the skills level of their firefighters and fire administrators.

(b) The academy, in exercising its functions and responsibilities under subsection (a), shall give particular attention to the development of methods for encouraging all sectors of the economy to cooperate with the academy.

FINANCING OF THE ACADEMY'S ACTIVITIES

SEC. 7. (a) The academy is authorized to accept contracts and grants from Federal, State, and local governmental agencies and other entities, and grants and donations from private organizations, institutions, and individuals.

(b) The academy may establish fees and other charges for services provided by the academy.

(c) Amounts received by the academy under this section shall be in addition to any amounts which may be appropriated to it under section 8.

SEC. 8. There are authorized to be appropriated to the academy such sums as may be necessary to carry out the provisions of this Act.

92D CONGRESS
2D SESSION

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A BILL

To provide for the creation of the National Fire Academy, and for other purposes.

By Mr. MATHIAS

APRIL 11, 1972

Read twice and referred to the Committee on Commerce

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